

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

No. 05CV10311-MLW

CHARLES A. EVANGELISTA,
Plaintiff

V.

SHANE MARCOTTE, JASON FANION,
DANIEL FALLON, III, JONATHAN
COTTER, JAMES JOHNSON, CARL
SUPERNOR and CITY OF WORCESTER,
Defendants

JOINT SETTLEMENT REPORT

Plaintiff Charles A. Evangelista and Defendants Shane Marcotte, Jason Fanion, Daniel Fallon, III, Jonathan Cotter, James Johnson, Carl Supernor and the City of Worcester hereby submit the following settlement report in the above-captioned case, pursuant to this Court's Scheduling Order.

Counsel for the parties have conferred telephonically to explore the possibility of settlement in this case. As a result of that conference, counsel for the parties have agreed to do a limited amount of discovery, including the defendants' answering the plaintiff's outstanding written discovery requests and the deposition of the plaintiff. The parties expect such initial discovery to be completed by April 14, 2006. At that point, counsel for the parties will again confer for the specific purpose of determining whether to proceed to mediation of this case, as they believe they will then be in a more favorable

position to evaluate this case relative to the possibility of settlement.

CHARLES A. EVANGELISTA
By his attorneys,

/s/ William T. Harrington
John T. Landry, III, Esquire
William T. Harrington, Esquire
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SHANE MARCOTTE, JASON FANION,
DANIEL FALLON, III, JONATHAN
COTTER, JAMES JOIHNSON, CARL
SUPERNOR, and CITY OF WORCESTER

By their attorneys,
David M. Moore
City Solicitor

/s/ Donald V. Rider, Jr.
Donald V. Rider, Jr. (BBO#549777)
Assistant City Solicitor
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CERTIFICATE OF SERVICE

I, the undersigned, hereby certify that I have served upon Plaintiff the within Joint Settlement Report by electronically sending a copy of the same to William T. Harrington, Esquire (wharrington.glhr@verizon.net), Glynn, Landry, Harrington & Rice, 10 Forbes Road, Suite 270, Braintree, MA 02184-2605 this 31st day of January, 2006.

/s/ Donald V. Rider, Jr.
Donald V. Rider, Jr.
Assistant City Solicitor